

# 488 88-104-A **PETITION FOR ZONING VARIANCE**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3.C.1 to permit a rear yard setback of 7 ft. in lieu of the required 30 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

1. The configuration of our lot does not allow for a 30 foot rear setback.
2. The additional space is needed and it is too expensive to add to the side of the house.
3. We cannot afford to move to a larger house at the present time.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:  
(Type or Print Name)  
Signature  
Address  
City and State  
Attorney for Petitioner:  
(Type or Print Name)  
Signature  
Address  
City and State  
Attorney's Telephone No.:  
Name  
Address  
City and State  
Phone No.

Legal Owner(s):  
(Type or Print Name)  
Signature  
(Type or Print Name)  
Signature  
Name, address and phone number of legal owner, tract purchaser or representative to be contacted  
Name  
Address  
City and State  
Phone No.

MAP NW 1/4 A  
30  
8  
DATE 12-1-87  
200  
BF  
9F

ORDERED BY The Zoning Commissioner of Baltimore County, this 13th day of August, 1987, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 21st day of September, 1987, at 9:45 o'clock A.M.

Zoning Description

Beginning on the S of Spring Ave. 24.43 ft. W. of the Centerline of College Ave. BEING KNOWN AND DESIGNATED as Lot 17, Section E, Plat 1 Luther-Villa and recorded among the Land Records of Baltimore County in Plat Book WPC No. 7, page 128. Also recorded in Plat Book CLK No. 13, pages 70 and 71 in which said development is called "Talbot Manor". The improvements thereon being known as 611 Spring Avenue in the 8th Election District County of Baltimore. Contain 8648 sq. ft.

**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District 8th  
Posted for: Variance  
Petitioner: John P. Lockwood, et ux  
Location of property: S/S of Spring Ave. 24.43 W. of the c/l of College Ave.  
Location of sign: On front of 611 Spring Ave.  
Remarks: S/S of Spring Ave.  
Posted by: S/S of Spring Ave.  
Number of Signs: 1

Date of Posting: 9-3-87  
Date of return: 9-11-87

IN RE: PETITION FOR ZONING VARIANCE \* BEFORE THE  
S/S of Spring Avenue 24.43' W \* ZONING COMMISSIONER  
of the c/l of College Ave. \* (611 Spring Avenue)  
8th Election District \* OF BALTIMORE COUNTY  
4th Councilmanic District \* CASE #88-104-A  
John P. Lockwood, et ux \*  
Petitioners \*

## **FINDINGS OF FACT AND CONCLUSIONS OF LAW**

The Petitioners herein request a variance to permit a rear yard setback of 7 ft. in lieu of the required 30 ft., as more particularly set forth on Petitioner's Exhibit 1.

The Petitioner appeared and testified. There were no Protestants. The property is zoned D.R. 5.5.

The lot is a triangular shaped lot with the rear of the house set closest to the 90 degree angle.

As the house is currently placed on the lot the rear of the house is less than 10 feet from the rear lot lines.

The testimony indicated that the subject property has been used as a home for the past 25 years. The proposed addition is for a one-story family room. The shape of the lot would require a variance if the addition was placed on any side of the house. By placing the addition on the rear of the house the addition is farthest from any other house in the community.

The Petitioner has discussed the need for the rear yard setback of 7 ft. in lieu of the required 30 ft. with the adjacent property owners, namely, Mr. Smith and Mr. Kainiski, and they do not object to the addition.

ORDER RECEIVED FOR FILING  
Date: \_\_\_\_\_  
By: \_\_\_\_\_

ORDER RECEIVED FOR FILING  
Date: \_\_\_\_\_  
By: \_\_\_\_\_

ORDER RECEIVED FOR FILING  
Date: \_\_\_\_\_  
By: \_\_\_\_\_

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons given above, the requested variances should be granted.

THEREFORE, it is ordered by the Zoning Commissioner of Baltimore County, this 1st day of October, 1987, that the Petition for Zoning Variance to permit a rear yard setback of 7 feet in lieu of the required 30 feet be and is hereby GRANTED, from and after the date of this Order, subject to the following:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. The house may not be used as a 2 family living unit and no second kitchen facility may be added to the house.

J. Robert Haines  
ZONING COMMISSIONER

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3333  
J. Robert Haines  
Zoning Commissioner



October 1, 1987

Mr. John P. Lockwood  
611 Spring Avenue  
Lutherville, Maryland 21093

Re: Petition for Zoning Variance  
S/S of Spring Avenue 24.43' W  
of the c/l of College Avenue  
(611 Spring Avenue)  
8th Election District, 4th Councilmanic  
Case #88-104-A

Dear Mr. Lockwood:

Pursuant to the recent hearing held on the subject case, please be advised that your petition for Zoning Variance has been Granted, subject to the restrictions noted in the attached Order.

If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

J. Robert Haines  
ZONING COMMISSIONER

JRH:mm  
enclosure  
cc: Peoples Counsel

## **PETITION FOR ZONING VARIANCE**

8th Election District - 4th Councilmanic District  
Case No. 88-104-A

LOCATION: South Side Spring Avenue, 24.43 feet West of the Centerline of College Avenue (611 Spring Avenue)

DATE AND TIME: Monday, September 21, 1987, at 9:45 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variance to permit a rear yard setback of 7 feet in lieu of the required 30 feet

Being the property of John P. Lockwood, et ux, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

J. ROBERT HAINES  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3333

J. ROBERT HAINES  
ZONING COMMISSIONER

September 15, 1987

Mr. John P. Lockwood  
Mrs. Mary R. Lockwood  
611 Spring Avenue  
Lutherville, Maryland 21093

RE: PETITION FOR ZONING VARIANCE  
S/S of Spring Ave., 24.43' W of the c/l of College Ave. (611 Spring Ave.)  
8th Election District - 4th Councilmanic District  
John P. Lockwood, et ux - Petitioners  
Case No. 88-104-A

Dear Mr. and Mrs. Lockwood:

This is to advise you that \$74.16 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit to Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,  
J. Robert Haines  
ZONING COMMISSIONER

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE-REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 37882

DATE 9/21/87 ACCOUNT R-01-615-000

SIGN & POST  
FORWARDED

AMOUNT \$ 74.16

Mr. John P. Lockwood, 611 Spring Ave.,  
Lutherville, Md. 21093

RECEIVED FROM

ADVERTISING & POSTING COSTS RE CASE #88-104-A

FOR

#C10\*\*\*\*\*741616 4212F

VALIDATION OR SIGNATURE OF CASHIER

JUL 28 1987



Office of  
**PATUXENT**  
Publishing Company  
10750 Little Patuxent Pkwy.  
Columbia, MD 21044

August 31 19 87

THIS IS TO CERTIFY, that the annexed advertisement of

PETITION FOR ZONING VARIANCE

was inserted in the following:  
☐ Catonsville Times  
☐ Arbutus Times  
☐ Reporter Weekly

☐ Booster Weekly  
☐ Owings Mills Flier  
☒ Towson Flier \$25.20

weekly newspapers published in Baltimore County, Maryland  
once a week for one successive weeks before  
the 21 day of August 1987, that is to  
say, the same was inserted in the issues of

AUGUST 27, 1987

PATUXENT PUBLISHING COMPANY  
By *[Signature]*

Mr. John P. Lockwood  
Mrs. Mary R. Lockwood  
611 Spring Avenue  
Lutherville, Maryland 21093

August 17, 1987

**NOTICE OF HEARING**

RE: PETITION FOR ZONING VARIANCE

S/S Spring Ave., 24.43' W of c/l of  
College Ave. (611 Spring Ave.)  
8th Election District - 4th Councilmanic District  
John P. Lockwood, et ux - Petitioners  
Case No. 88-104-A

TIME: 9:45 a.m.

DATE: Monday, September 21, 1987

PLACE: Room 106, County Office Building, 111 West Chesapeake

Avenue, Towson, Maryland

*[Signature]*  
J. ROBERT HAINES  
Zoning Commissioner  
Baltimore County

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 36128

DATE: 5/2/87 ACCOUNT: 01-615-000

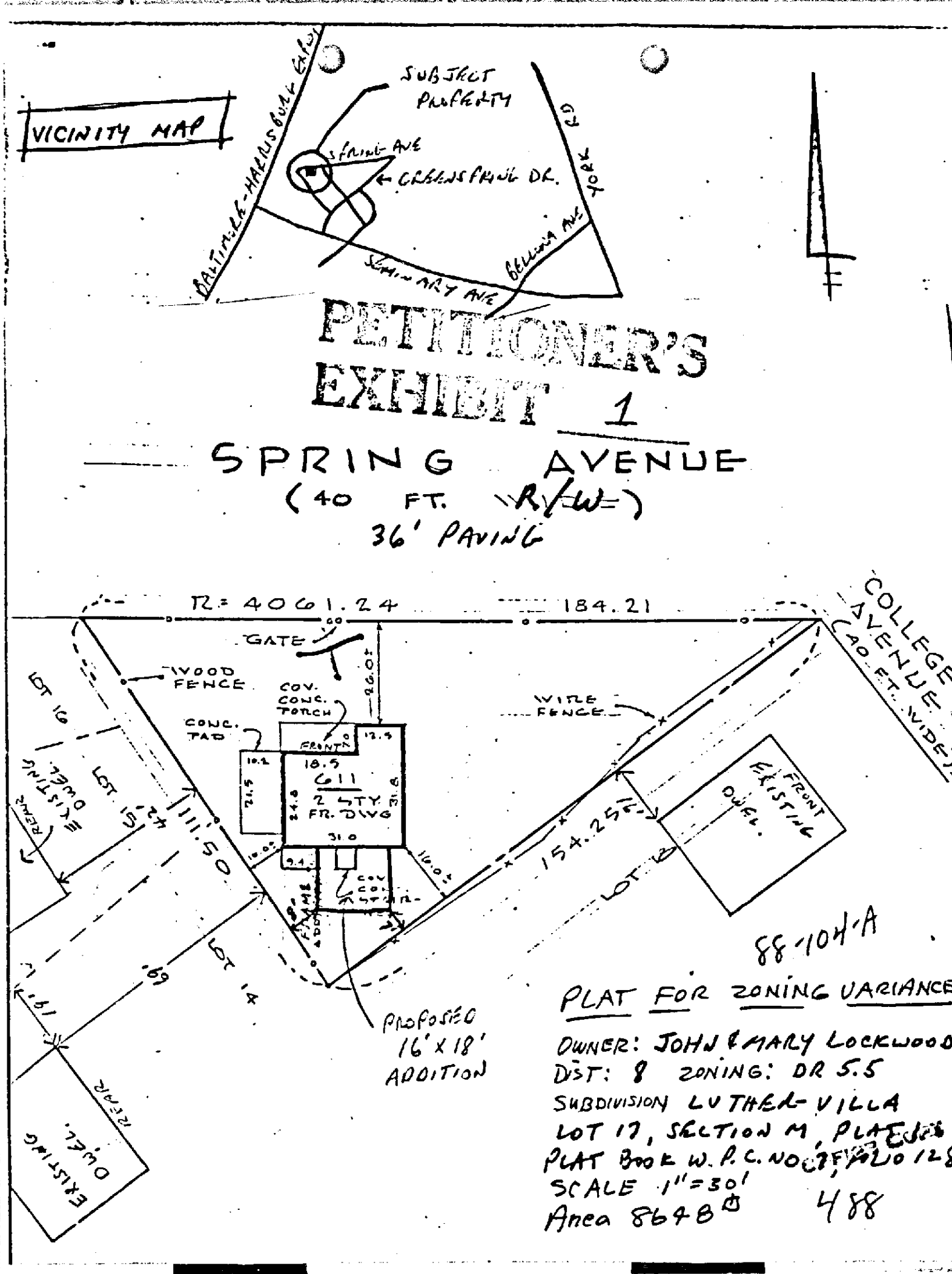
AMOUNT: \$ 35.00

RECEIVED FROM: John P. Lockwood

FOR: Variance # 488

8 8155\*\*\*\*\*350010 0212F

VALIDATION OR SIGNATURE OF CASHIER



BALTIMORE COUNTY  
DEPARTMENT OF TRAFFIC ENGINEERING  
TOWSON, MARYLAND 21204  
494-3550

XXXXXXXXXXXX

C. Richard Moore  
Acting Director

June 10, 1987

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items  
number 485, 486, 487, 488, 489, 490, 491, 493, and 494.

Very truly yours,

*[Signature]*  
Michael S. Flanagan  
Traffic Engineer Associate II

MSF:lt

**CERTIFICATE OF PUBLICATION**

TOWSON, MD. Sept 3 1987

THIS IS TO CERTIFY, that the annexed advertisement was  
published in THE JEFFERSONIAN, a weekly newspaper printed  
and published in Towson, Baltimore County, Md., appearing on  
Sept 2 1987

THE JEFFERSONIAN,

Publisher

*[Signature]*  
33.96

Baltimore County  
Fire Department  
Towson, Maryland 21204-2586  
494-4500

Paul H. Reinke  
Chief

June 11, 1987

Mr. Arnold Jablon,  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

Re: Property Owner: John P. Lockwood, et ux

Location: S/S Spring Avenue, 24.43' W. of c/l College Avenue

Item No.: 488

Zoning Agenda: Meeting of 6/2/87

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this  
Bureau and the comments below marked with an "X" are applicable and required to  
be corrected or incorporated into the final plans for the property.

( ) 1. Fire hydrants for the referenced property are required and shall be  
located at intervals of 100 feet along an approved road in accordance  
with Baltimore County Standards as published by the Department  
of Public Works.

( ) 2. A second means of vehicle access is required for the site.

( ) 3. The vehicle dead end condition shown at the maximum allowed by the Fire Department.

( ) 4. The site shall be made to comply with all applicable parts of the  
Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall  
comply with all applicable requirements of the National Fire Protection  
Association Standard No. 101 "Life Safety Code," 1976 edition  
prior to occupancy.

( ) 6. Site plans are approved, as drawn.

( ) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *[Signature]* Noted and Approved: *[Signature]*  
Planning Group Fire Prevention Bureau  
Special Inspection Division

/s/

**BALTIMORE COUNTY, MARYLAND**

**INTER-OFFICE CORRESPONDENCE**

Mr. J. Robert Haines

TO: Zoning Commissioner

Date: September 3, 1987

FROM: Norman E. Gerber, AICP  
Director of Planning and Zoning  
Zoning Petition Nos. 88-16-SPH, 88-103-A,  
88-104-A, 88-105-A, 88-106-A, 88-108-A,  
SUBJECT: 88-109-A, 88-110-A, 88-111-A, 88-112-A

There are no comprehensive planning factors requiring comment on the above  
numbered petitions.

*[Signature]*  
Norman E. Gerber, AICP  
Director

NEG:KAK:dme

cc: Ms. Shirley M. Hess, Legal Assistant, People's Counsel  
File

RECEIVED  
SEP 14 1987  
ZONING OFFICE

CPS-008

**BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE**

September 16, 1987

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

000

Mr. John P. Lockwood  
611 Spring Avenue  
Lutherville, Maryland 21093

RE: Item No. 488 - Case No. 88-104-A  
Petitioner: John P. Lockwood, et ux  
Petition for Zoning Variance

Dear Mr. Lockwood:

The Zoning Plans Advisory Committee has reviewed the plans  
submitted with the above-referenced petition. The following  
comments are not intended to indicate the appropriateness of  
the zoning action requested, but to assure that all parties  
are made aware of plans or problems with regard to the  
development plans that may have a bearing on this case. The  
Director of Planning may file a written report with the  
Zoning Commissioner with recommendations as to the suit-  
ability of the requested zoning.

Enclosed are all comments submitted from the members of the  
Committee at this time that offer or request information on  
your petition. If similar comments from the remaining  
members are received, I will forward them to you. Otherwise,  
any comment that is not informative will be placed in the  
hearing file. This petition was accepted for filing on the  
date of the enclosed filing certificate and a hearing  
scheduled accordingly.

Very truly yours,

*[Signature]*  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:kbb

Enclosures

87-  
88-104-A

**BALTIMORE COUNTY OFFICE OF PLANNING & ZONING**

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your petition has been received and accepted for filing this  
13th day of August, 1987.

*[Signature]*  
J. ROBERT HAINES  
ZONING COMMISSIONER

Petitioner: John P. Lockwood, et ux  
Petitioner's Attorney: \_\_\_\_\_

Received by: *[Signature]*  
Chairman, Zoning Plans  
Advisory Committee

JUL 28 1988